

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA**

1. DAVID W. WILLAMS,	
Plaintiff,	
v.	
1. FAIRFAX MEDICAL FACILITIES, INC.,	
Defendant.	

Case No. 17-cv-00128-CVE-FHM

COMPLAINT

Jurisdiction and Venue

1. Jurisdiction in this matter is pursuant to Title VII of the Civil Rights Act of 1964 as amended (42 U.S.C., §2000e et seq.). Pendent jurisdiction is pursuant to Plaintiffs' claims under Oklahoma common law and statutory law.

2. Venue is proper in this Court pursuant to 28 U.S.C. §1331 because Plaintiffs' claims arise in this district.

3. On or about March 15, 2016, Plaintiff David W. Williams timely filed his claims of race discrimination with the Equal Employment Opportunity Commission ["EEOC"]. On December 13, 2016 Plaintiff David W. Williams received his Right to Sue Notice. Plaintiff David W. Williams timely filed this lawsuit within 90 days of Plaintiff David W. Williams's receipt of his right to sue notice.

5. Defendant Fairfax Medical Facilities, Inc., ["Fairfax Medical"] is an Oklahoma corporation with its principal place of business in Fairfax, Oklahoma.

6. Plaintiff is a male individual with his residence in Ponca City, Oklahoma and he

was employed by Fairfax Medical in Fairfax, Oklahoma. It is from this employment that Plaintiff's claims arise.

General Statement of Facts

7. Plaintiff David W. Williams is a male, whose birth date is November 1, 1960. Plaintiff David W. Williams is Caucasian.

8. Plaintiff David W. Williams was employed with Fairfax Medical as an IT Specialist from November 30, 2015 through the date of her termination, on or about February 24, 2016.

9. In that position, Plaintiff David W. Williams was subject to a hostile work environment due to threatened loss of employment, as well as derogatory remarks and actions based upon Plaintiff's race. Plaintiff David W. Williams' employment with Defendant was ultimately terminated on or about February 24, 2016.

10. Plaintiff David W. Williams complained to Human Resources Manager Brad Fox, regarding the hostile work environment. Plaintiff David W. Williams' employment with Defendant was terminated after making said complaints.

First Cause of Action – Race Discrimination

11. Plaintiffs incorporate by reference all allegations heretofore mentioned.

12. Plaintiff David W. Williams was subject to a hostile work environment in the form of being threatened with job loss or loss of his position if he continued perform his job duties of investigating a technology threat. Said threats came from a Board Member of Defendant, who is Native American based upon the fact that Plaintiff believed the source of the technology threat was

a Native American individual. Plaintiff's credibility regarding the investigation was called into question based upon the color of Plaintiff's skin. Reports of such incidents to Human Resources did not result in any investigations, reprimands or apologies.

13. As a result, Plaintiff David W. Williams suffered an adverse employment action in the form of being threatened with job loss, being subjected to a hostile work environment, and ultimately termination of his employment due to his race.

14. Defendant's actions were intentional and with malice toward Plaintiff and as a result, Plaintiff is entitled to punitive damages.

WHEREFORE, premises considered, the Plaintiff David W. Williams prays that Judgment be granted in his favor as to his cause of action, in excess of \$100,000.00 and together with his costs, pre and post judgment interest, attorney fees, punitive damages and for such other legal or equitable relief this Court deems just and proper.

JURY TRIAL DEMANDED.

ATTORNEY LIEN CLAIMED.

DEVINNEY LAW FIRM, P.C.

Respectfully submitted,

/s/ Christopher W. Landes
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